

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

DYLLAN M. BARBER,

Defendant.

21-CR-145-JLS

NOTICE OF MOTION

MOTION BY:

Brian P. Comerford, Assistant Federal Public Defender.

DATE, TIME & PLACE:

Before the Honorable John L. Sinatra, Jr., United States District Court Judge, Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York, **on the papers.**

SUPPORTING PAPERS:

Affirmation of Assistant Federal Public Defender Brian P. Comerford, dated January 25, 2022.

RELIEF REQUESTED:

Adjournment of Sentencing for approximately sixty (60) days.

DATED:

Buffalo, New York, January 25, 2022.

Respectfully submitted,

/s/ Brian P. Comerford

Brian P. Comerford

Supervisory Assistant Federal Public Defender

Federal Public Defender's Office

300 Pearl Street, Suite 200

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Counsel for Defendant Dyllan M. Barber

TO: Jeffrey T. Fiut
Assistant United States Attorney

UNITED STATES DISTRICT COURT
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v.

AFFIRMATION

DYLLAN M. BARBER,

Defendant.

BRIAN P. COMERFORD, affirms under penalty of perjury that:

1. I represent the defendant, Dyllan Barber.
2. This case is scheduled for sentencing before Your Honor on February 15, 2022.
3. The defense is in the process of providing additional records to the U.S. Probation Office for the preparation of Mr. Barber's Pre-Sentence Report. We respectfully request that the Court adjourn the sentencing, and the corresponding submission dates by 60 days to provide adequate time for the preparation of the PSR and sentencing submissions.
4. I have discussed this request with Assistant U.S. Attorney Dawn Carter and she has indicated that the Government has no objection.
5. I further request that, if possible, the Court not schedule this sentencing for any date between April 8 – 18, 2022, as I will be out of town.

DATED: Buffalo, New York, January 25, 2022.

Respectfully submitted,

/s/Brian P. Comerford

Brian P. Comerford

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